

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

OTIS McDONALD, ADAM ORLOV,)	Case No. 08-C-3645
COLLEEN LAWSON, DAVID LAWSON,)	
ILLINOIS STATE RIFLE ASSOCIATION, and)	NOTICE OF APPEAL
SECOND AMENDMENT FOUNDATION, INC.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF CHICAGO,)	
)	
Defendant.)	
_____)	

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc., and Illinois State Rifle Association, plaintiffs in the above named case, hereby appeal to the United States Court of Appeals for the Seventh Circuit from the order barring plaintiffs' motion for attorney fees and expenses pursuant to 42 U.S.C. § 1988, entered in this action on the 4th day of January, 2011.

Dated: January 4, 2011

Respectfully submitted,

Alan Gura (admitted pro hac vice)
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By: /s/ Alan Gura
Alan Gura

By: /s/ David G. Sigale
David G. Sigale

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned, an attorney of record for the plaintiffs, hereby certifies that on January 4, 2011, he served a copy of the above notice of appeal and this certificate of service, on:

Michael A. Forti
Mardell Nereim
Andrew W. Worseck
William Macy Aguiar
City of Chicago Department of Law
Constitutional and Commercial Litigation Division 30
N. LaSalle Street, Suite 1230
Chicago, IL 60602

by electronic means pursuant to Electronic Case Filing (ECF). Pursuant to FRCP 5, the undersigned certifies that, to his best information and belief, there are no non-CM/ECF participants in this matter.

/s/ Alan Gura _____
Alan Gura

SEVENTH CIRCUIT COURT OF APPEALS INFORMATION SHEET

Include the names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal. Use a separate sheet if needed.

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION DOCKET NUMBER: 08 cv 3645

PLAINTIFF (Petitioner)

 \mathbf{y}_i

DEFENDANT (Respondent)

McDonald et al/appellant	City of Chgo/appellee
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(Use separate sheet for additional counsel)

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name	Alan Gura	Name	Michael A. Forti
Firm	Gura & Possessky, PLLC	Firm	City of Chgo/ Dept. of Law
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Other Information			
District Judge	Shadur	Date Filed in District Court	6/26/08
Court Reporter	R. Scarpelli X-5815	Date of Judgment	1/4/11
Nature of Suit Code	950	Date of Notice of Appeal	1/4/11

COUNSEL:

Appointed

11

Retained

X

Pro Se

11

FEE STATUS:

Paid

X

Due

--	--

IFP

IFP Pending

U.S.

7

Waived

11

Has Docketing Statement been filed with the District Court Clerk's Office?

Yes

11

Nc

X

If State/Federal Habeas Corpus (28 USC 2254/28 USC 2255), was Certificate of Appealability:

Granted

11

Denied

7

Pending

11

If Certificate of Appealability was granted or denied, date of order:

If defendant is in federal custody, please provide U.S. Marshall number (USM#):

IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(A). Rev 04/01

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 4.2
Eastern Division**

Otis McDonald, et al.

Plaintiff,

v.

Case No.: 1:08-cv-03645
Honorable Milton I. Shadur

City of Chicago, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Monday, January 3, 2011:

MINUTE entry before Honorable Milton I. Shadur: Enter Memorandum Opinion and Order. In summary, counsel for the McDonald Plaintiffs have not separated themselves or their clients from what this Court ruled in the NRA Opinion. Their motion for ";prevailing party" status and Motion for attorney fees [83] is denied. Mailed notice(srn,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

OTIS McDONALD, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 08 C 3645
)	
CITY OF CHICAGO, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

Counsel for plaintiffs in this action (collectively "McDonald Plaintiffs") have sought to distance themselves from this Court's December 22 opinion in the two comparable National Rifle Association cases ("NRA Opinion," 2010 WL 5185083) by claiming that they were (as NRA was not) "prevailing parties" for 42 U.S.C. §1988(b) ("Section 1988(b)") purposes so as to obtain an award of attorneys' fees. That effort fails.

It should first be noted that this Court again inquired at the December 29 motion hearing, noticed up by counsel for the McDonald Plaintiffs, whether the conduct of the City of Chicago in assertedly having led counsel down the garden path by stonewalling on the fees issue--all the while planning to bring the "prevailing party" question on against NRA--was an arguable basis for reaching a different result. McDonald Plaintiffs' counsel disavowed that, so that this opinion will go forward solely on the grounds advanced in counsel's submission captioned "Plaintiffs' Motion for Instructions Re: Attorney Fees and

Costs."

On the first of those grounds, counsel urge a different reading of the Supreme Court's Buckhannon opinion than this Court stated and applied in the NRA Opinion. But in material part that argument distorts and mischaracterizes the nine-year-old opinion by this Court in Johnny's IceHouse, Inc. v. Amateur Hockey Ass'n of Ill., No. 00 C 7363, 2001 WL 893840 (N.D. Ill. Aug. 7)). Here is what McDonald Plaintiffs' counsel say in that respect (Motion ¶22):

This Court has previously held that the Buckhannon dissent's description of the majority's holding governs interpretation of Buckhannon's scope.¹

But then counsel commit the cardinal sin of selective quotation, which can be just as misleading as misquotation. They reproduce two sentences that this Court quoted from Justice Ginsberg's

¹ [Footnote by this Court] Although counsel's real distortion is the omission next referred to in the text, counsel have also failed to quote the cautious caveat voiced by this Court in Johnny's IceHouse, id. at *3 n.2:

This Court is of course well aware that it can be perilous to rely too heavily on a dissenting opinion's characterization of the majority's holding (sometimes advanced as a kind of rear-guard action, in an effort to limit the scope of a holding opposed by the dissenters). In this instance, though, the quoted language is a fair statement of the majority opinion as it impacts on this case.

Buckhannon dissent, but they stop short of reproducing the very next sentence that actually controlled the ruling in Johnny's IceHouse:

A court-approved settlement will do.


As this Court then went on to explain after that quotation, plaintiff in Johnny's IceHouse was a "prevailing party" precisely because this Court had entered an "Order formalizing and memorializing [defendant's] commitment [that] legally altered the relationship between the parties, making Johnny's IceHouse a prevailing party under the standard announced in Buckhannon." No such order, no legal equivalent of the type required by Buckhannon, was entered in this action. And that of course is the whole point.

Next McDonald Plaintiffs' counsel point to the Supreme Court's legal ruling as to Chicago's handgun ban, as though that alone made them prevailing parties. But that contention studiously ignores, just as NRA's counsel had, the fact that the Supreme Court's order was one that remanded the case before it "for further proceedings."² And as the NRA Opinion stressed, no "further proceedings" took place--instead the City of Chicago's action in repealing its ordinance compelled the dismissal of the action on mootness grounds.

² Remember the universal principle that courts speak definitively through the orders, not through the language in their opinions that explains the basis for the orders themselves.

Finally counsel for the McDonald Plaintiffs argue that Buckhannon was wrongly decided. In doing so, of course, counsel acknowledge that they are tendering that argument for purposes of making a record, not (of course) to urge this Court to so hold (as it would have no power to do).

In summary, counsel for the McDonald Plaintiffs have not separated themselves or their clients from what this Court ruled in the NRA Opinion. Their motion for "prevailing party" status and for a corollary award of attorney's fees is denied.



Milton I. Shadur
Senior United States District Judge

Date: January 3, 2011

APPEAL, SCHENKIER, TERMED

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 4.2 (Chicago)
CIVIL DOCKET FOR CASE #: 1:08-cv-03645
Internal Use Only

McDonald et al v. City of Chicago et al
Assigned to: Honorable Milton I. Shadur
Case in other court: 08-04112
08-04244
Cause: 42:1983 Civil Rights Act

Date Filed: 06/26/2008
Date Terminated: 12/18/2008
Jury Demand: Defendant
Nature of Suit: 950 Constitutional -
State Statute
Jurisdiction: Federal Question

Plaintiff**Otis McDonald**

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Plaintiff

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Plaintiff

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PRO HAC VICE
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Plaintiff

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Alan Gura
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

**National Rifle Association of
America, Inc.**

represented by **National Rifle Association of
America, Inc.**
PRO SE

Plaintiff

Robert Klein Engler

represented by **Robert Klein Engler**

PRO SE

Plaintiff

Dr. Gene A. Reisinger

represented by **Gene A. Reisinger**
PRO SE

V.

Defendant

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ATTORNEY TO BE NOTICED

Defendant

Richard M. Daley

Mayor

TERMINATED: 06/27/2008

represented by **Michael A. Forti**
 (See above for address)
TERMINATED: 07/17/2008
LEAD ATTORNEY

Andrew W Worseck
 (See above for address)
TERMINATED: 07/17/2008

Mardell Nereim
 (See above for address)
TERMINATED: 07/17/2008

William Macy Aguiar
 (See above for address)
TERMINATED: 07/17/2008

proposed

Village Of Oak Park

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/26/2008	<u>1</u>	COMPLAINT filed by Plaintiffs Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc.; Filing fee \$ 350.(smm) (Entered: 06/26/2008)
06/26/2008	<u>2</u>	CIVIL Cover Sheet. (smm) (Entered: 06/26/2008)
06/26/2008	<u>3</u>	ATTORNEY Appearance for Plaintiffs Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc. by David G. Sigale. (smm) (Entered: 06/26/2008)
06/26/2008	<u>4</u>	(Court only) RECEIPT regarding payment of filing fee paid on 6/26/2008 in the amount of \$350.00, receipt number 2889250. (smm) (Entered: 06/26/2008)
06/26/2008	<u>5</u>	SUMMONS Issued as to Defendants City of Chicago, Richard M. Daley. (smm) (Entered: 06/26/2008)

06/26/2008	6	MOTION by Alan Gura on behalf of Plaintiffs McDonald, Orlov, Lawsons, Second Amdment Found, ISRA for Leave to Appear Pro Hac Vice, Filing fee \$ 50, Paid Receipt # 4624004966. (smm) (Entered: 06/27/2008)
06/27/2008	7	MINUTE entry before the Honorable Milton I. Shadur:Enter Memorandum Order. This memorandum order is issued sua sponte to strip the Complaint of some surplusage - - listed in the order of appearance, rather than in any effort to rank the stricken allegations in terms of importance - - that does not conform to the directive of Fed. R. Civ. P. 8(a) as to the content of a federal complaint.Mailed notice (srn,) (Entered: 06/27/2008)
06/27/2008	8	MEMORANDUM Order Signed by the Honorable Milton I. Shadur on 6/27/2008:Mailed notice(srn,) (Entered: 06/27/2008)
06/27/2008	19	MINUTE entry before the Honorable Milton I. Shadur: Defendant Richard M. Daley is dismissed from this action.Mailed notice (srn,) (Entered: 07/17/2008)
07/01/2008	9	ATTORNEY Appearance for Defendants City of Chicago, Richard M. Daley by Andrew W Worseck (Worseck, Andrew) (Entered: 07/01/2008)
07/01/2008	10	ATTORNEY Appearance for Defendants City of Chicago, Richard M. Daley by William Macy Aguiar (Aguiar, William) (Entered: 07/01/2008)
07/01/2008	11	ATTORNEY Appearance for Defendants City of Chicago, Richard M. Daley by Michael A. Forti (Forti, Michael) (Entered: 07/01/2008)
07/01/2008	12	ATTORNEY Appearance for Defendants City of Chicago, Richard M. Daley by Mardell Nereim (Nereim, Mardell) (Entered: 07/01/2008)
07/02/2008	13	RESPONSE by Plaintiffs Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc. to memorandum opinion and order 8 (Attachments: # 1 Notice of Filing)(Sigale, David) (Entered: 07/02/2008)
07/02/2008	14	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Second Amendment Foundation, Inc. (Sigale, David) (Entered: 07/02/2008)
07/02/2008	15	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Illinois State Rifle Association (Sigale, David) (Entered: 07/02/2008)
07/07/2008	16	MINUTE entry before the Honorable Milton I. Shadur:Enter Memorandum Order. Accordingly this court declines any invitation to revisit its June 27 memorandum order.Mailed notice (srn,) (Entered: 07/07/2008)
07/07/2008	17	MEMORANDUM Order Signed by the Honorable Milton I. Shadur on 7/7/2008:Mailed notice(srn,) (Entered: 07/07/2008)
07/15/2008	21	IT is ordered that the applicant herein may appear pro hac vice in the above-entitled case. Receipt no. 4624004966; paid on 6/26/08. (smm) (Entered: 07/21/2008)
07/16/2008	18	ANSWER to Complaint with Jury Demand by City of Chicago(Worseck, Andrew) (Entered: 07/16/2008)
07/17/2008	20	MINUTE entry before the Honorable Milton I. Shadur: Status hearing set for

		8/22/2008 at 09:00 AM.Mailed notice (srn,) (Entered: 07/17/2008)
07/22/2008	22	MOTION by Defendant City of Chicago to reassign case (Worseck, Andrew) (Entered: 07/22/2008)
07/22/2008	23	NOTICE of Motion by Andrew W Worseck for presentment of motion to reassign case 22 before Honorable Milton I. Shadur on 7/25/2008 at 09:15 AM. (Worseck, Andrew) (Entered: 07/22/2008)
07/23/2008	24	MOTION to reassign case (Attachments: # 1 Exhibit A)(Karaca, Jacob) (Entered: 07/23/2008)
07/23/2008	25	NOTICE of Motion by Jacob Henry Karaca for presentment of motion to reassign case 24 before Honorable Milton I. Shadur on 7/29/2008 at 09:15 AM. (Karaca, Jacob) (Entered: 07/23/2008)
07/24/2008		(Court only) ***Motions terminated: MOTION by Plaintiffs Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc. for leave to proceed in forma pauperis 21 , MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50. 6 (srn,) (Entered: 07/24/2008)
07/25/2008	26	MINUTE entry before the Honorable Milton I. Shadur:Motion to reassign case 22 is granted; Motion hearing held on 7/25/2008 regarding motion to reassign case 22 Mailed notice (srn,) (Entered: 07/28/2008)
07/29/2008	27	MINUTE entry before the Honorable Milton I. Shadur:Motion to reassign case 24 is granted; Motion hearing held on 7/29/2008 regarding motion to reassign case 24 . Status hearing set for 9/26/2008 at 09:00 AM. The August 22 status date is vacated.Mailed notice (srn,) (Entered: 07/29/2008)
07/29/2008	28	MOTION to vacate <i>and Set Briefing Schedule</i> (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Howard, William) (Entered: 07/29/2008)
07/29/2008	29	NOTICE of Motion by William Nicholas Howard for presentment of motion to vacate 28 before Honorable Milton I. Shadur on 8/1/2008 at 09:15 AM. (Howard, William) (Entered: 07/29/2008)
07/31/2008	30	MOTION by Plaintiffs Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc. to strike answer to complaint 18 (Sigale, David) (Entered: 07/31/2008)
07/31/2008	31	NOTICE of Motion by David G. Sigale for presentment of motion to strike, motion for relief 30 before Honorable Milton I. Shadur on 8/4/2008 at 09:15 AM. (Sigale, David) (Entered: 07/31/2008)
07/31/2008	32	MOTION by Plaintiffs Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc. for summary judgment (Sigale, David) (Entered: 07/31/2008)
07/31/2008	33	NOTICE of Motion by David G. Sigale for presentment of motion for summary judgment 32 before Honorable Milton I. Shadur on 8/4/2008 at 09:15 AM. (Sigale, David) (Entered: 07/31/2008)
07/31/2008	34	MEMORANDUM by Illinois State Rifle Association, Otis McDonald, Adam

		Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc. in support of motion for summary judgment 32 (Attachments: # 1 Statement of Material Facts, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Declaration of Otis McDonald, # 9 Declaration of Adam Orlov, # 10 Declaration of Colleen Lawson, # 11 Declaration of David Lawson, # 12 Declaration of Alan Gottlieb, # 13 Declaration of Richard Pearson)(Sigale, David) (Entered: 07/31/2008)
08/01/2008	35	Exhibit G to Memorandum in Support of Plaintiffs' Motion for Summary Judgment by Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc. (Sigale, David) (Entered: 08/01/2008)
08/01/2008	36	MINUTE entry before the Honorable Milton I. Shadur:Motion to strike 30 is entered and continued. MOTION for summary judgment 32 is entered and continued; Motion to vacate is entered and continued. NRA Plaintiff's further submission on the motion to vacate is due on or before August 8, 2008. Motion hearing held on 8/1/2008. Motion Hearing set for 8/18/2008 at 09:15 AM.Mailed notice (srn,) (Entered: 08/01/2008)
08/03/2008	37	ATTORNEY Appearance for proposed Village Of Oak Park by Jacob Henry Karaca (Karaca, Jacob) (Entered: 08/03/2008)
08/06/2008	38	ATTORNEY Appearance for Defendant City of Chicago by Rebecca Alfert (Alfert, Rebecca) (Entered: 08/06/2008)
08/08/2008	39	MOTION by Plaintiffs National Rifle Association of America, Inc., Robert Klein Engler, Gene A. Reisinger to vacate order on motion to reassign case,, motion hearing,, set/reset hearings, 27 (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Certificate of Service)(Howard, William) (Entered: 08/08/2008)
08/18/2008	40	MINUTE entry before the Honorable Milton I. Shadur:Motion to strike 30 is denied without prejudice. City of Chicago's Amended Answer is due on or before September 2, 2008.; Motion to vacate is denied.; Status hearing held on 8/18/2008. The September 26, 2008 status date is vacated. Status hearing set for 9/10/2008 at 09:00 AM.Mailed notice (srn,) (Entered: 08/18/2008)
08/18/2008		(Court only) ***Motions terminated: MOTION to vacate <i>and Set Briefing Schedule</i> 28 (srn,) (Entered: 08/25/2008)
09/05/2008	41	<i>Amended</i> ANSWER to Complaint with Jury Demand by City of Chicago (Alfert, Rebecca) (Entered: 09/05/2008)
09/10/2008	42	MINUTE entry before the Honorable Milton I. Shadur:Status hearing held on 9/10/2008. Status hearing set for 11/10/2008 at 09:00 AM.Mailed notice (srn,) (Entered: 09/10/2008)
10/21/2008	43	MOTION by Plaintiffs Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc.Narrow Legal Issues Pursuant to FRCivP 16 (Sigale, David) (Entered: 10/21/2008)
10/21/2008	44	NOTICE of Motion by David G. Sigale for presentment of motion for miscellaneous relief 43 before Honorable Milton I. Shadur on 10/28/2008 at

		09:15 AM. (Sigale, David) (Entered: 10/21/2008)
11/07/2008	45	MINUTE entry before the Honorable Milton I. Shadur:The November 10 status date is stricken. Status hearing set for 12/4/2008 at 09:00 AM Mailed notice (srn,) (Entered: 11/07/2008)
11/13/2008	46	MINUTE entry before the Honorable Milton I. Shadur:Enter Memorandum Order. This Court will put aside the Postal Service's apparent determination that this Court is a non-person, even though it has been occupying the Room 2388 judicial chambers for years - - instead this memorandum is issued simply to reassure plaintiff's counsel that no violation of court rules is to be placed at his doorstep.Mailed notice (srn,) (Entered: 11/13/2008)
11/13/2008	47	MEMORANDUM Order Signed by the Honorable Milton I. Shadur on 11/13/2008:Mailed notice(srn,) (Entered: 11/13/2008)
12/03/2008	48	MINUTE entry before the Honorable Milton I. Shadur:The December 4, 2008 status date is vacated. This Court will set a new status date after the completion of the trial that it is currently conducting. Mailed notice (srn,) (Entered: 12/03/2008)
12/04/2008	49	MINUTE entry before the Honorable Milton I. Shadur:Enter Memorandum Order.MOTION for summary judgment 32 is denied; Motion 43 is denied. Status hearing set for 12/9/2008 at 08:45 AM.Mailed notice (srn,) (Entered: 12/04/2008)
12/04/2008	50	MEMORANDUM Order Signed by the Honorable Milton I. Shadur on 12/4/2008:Mailed notice(srn,) (Entered: 12/04/2008)
12/05/2008	51	NOTICE of appeal by Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc. regarding orders 50 Filing fee \$ 455, receipt number 07520000000003330512. (Sigale, David) (Entered: 12/05/2008)
12/05/2008	52	NOTICE of Appeal Due letter sent to counsel of record (dj,) (Entered: 12/05/2008)
12/05/2008	53	TRANSMITTED to the 7th Circuit the short record on notice of appeal 51 . Notified counsel (dj,) (Entered: 12/05/2008)
12/08/2008	54	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal 51 ; USCA Case No. 08-4112. (smm) (Entered: 12/09/2008)
12/09/2008	55	MINUTE entry before the Honorable Milton I. Shadur:Status hearing held on 12/9/2008. Counsel is to submit a draft order for consideration. Status hearing set for 12/18/2008 at 08:45 AM Mailed notice (srn,) (Entered: 12/09/2008)
12/18/2008	56	NOTICE of appeal by Illinois State Rifle Association, Otis McDonald, Adam Orlov, Colleen Lawson, David Lawson, Second Amendment Foundation, Inc. regarding orders 49 Filing fee \$ 455, receipt number 07520000000003371470. (Sigale, David) (Entered: 12/18/2008)
12/18/2008	59	MINUTE entry before the Honorable Milton I. Shadur:Status hearing held. Enter order. This Court hereby grants the contested 12/9/08 oral motion of the

		City of Chicago, pursuant to Fed.R.Civ.P. 12(c) for judgment on the pleadings on Counts I-V of the complaint. Judgment is hereby entered in favor of the City of Chicago and against Plaintiffs on all counts of the complaint. Civil case terminated. (For further detail see separate order(s).) Mailed notice (smm) (Entered: 12/22/2008)
12/18/2008	60	ORDER Signed by the Honorable Milton I. Shadur on 12/18/2008.(smm) (Entered: 12/22/2008)
12/18/2008	61	ENTERED JUDGMENT. (smm) (Entered: 12/22/2008)
12/19/2008	57	NOTICE of Appeal Due letter sent to counsel of record (dj,) (Entered: 12/19/2008)
12/19/2008	58	TRANSMITTED to the 7th Circuit the short record on notice of appeal 56 . Notified counsel (dj,) (Entered: 12/19/2008)
12/19/2008	62	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal 56 ; USCA Case No. 08-4244. (smm) (Entered: 12/22/2008)
12/30/2008	63	TRANSMITTED to the USCA for the 7th Circuit the long record on appeal 51 , 56 (USCA no. 08-4112 & 08-4244) consisting of 1 volume of pleadings. (dj,) (Entered: 12/30/2008)
12/30/2008	64	USCA RECEIVED on 12/30/08 the long record regarding notice of appeal 51 , notice of appeal 56 (dj,) (Entered: 12/31/2008)
01/07/2009	65	LETTER from the USCA retaining the record on appeal in USCA no. 08-4112 consisting of the record to be returned later. (smm) (Entered: 01/08/2009)
01/07/2009	66	CERTIFIED COPY of MANDATE of USCA dated 1/7/09 regarding notice of appeal 51 ; USCA No. 08-4112. 1. Appellants' agreed F.R.App.P 42(b) motion for voluntary dismissal, filed on 1/6/09, by counsel for the appellants. 2. Motion for extension of time to file response to appellants' memorandum of points and authorities regarding jurisdiction, file on 1/5/09, by counsel for the appellee. It is ordered that this appeal is dismissed, in accordance with Fed.R.App. P. 42(b). It is further ordered that #2 is denied as moot. (smm) (Entered: 01/08/2009)
01/30/2009	67	<p>TRANSCRIPT OF PROCEEDINGS held on August 18, 2008 before the Honorable Milton I. Shadur. Court Reporter Contact Information: Jesse Andrews, 312 435 6899,Jesse_AndrewsILND/07/USCOURTS.GOV.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 2/20/2009. Redacted Transcript Deadline set for 3/2/2009. Release of Transcript Restriction set for 4/30/2009. (Andrews, Jesse)</p>

		(Entered: 01/30/2009)
01/30/2009	68	<p>TRANSCRIPT OF PROCEEDINGS held on December 9, 2008 before the Honorable Milton I. Shadur. Court Reporter Contact Information: Jesse Andrews, 312 435 6899,Jesse Andres, 312 435 6899, Jesse_AndrewsILND/07/USCORTS.GOV.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 2/20/2009. Redacted Transcript Deadline set for 3/2/2009. Release of Transcript Restriction set for 4/30/2009. (Andrews, Jesse) Modified on 1/30/2009 (srn,). (Entered: 01/30/2009)</p>
01/30/2009	69	<p>TRANSCRIPT OF PROCEEDINGS held on December 18, 2008 before the Honorable Milton I. Shadur. Court Reporter Contact Information: Jesse Andrews, 312 435 6899,Jesse_AndrewsILND/07/USCOURTS.GOV.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 2/20/2009. Redacted Transcript Deadline set for 3/2/2009. Release of Transcript Restriction set for 4/30/2009. (Andrews, Jesse) (Entered: 01/30/2009)</p>
02/04/2009	70	TRANSMITTED to the USCA for the 7th Circuit supplemental record on appeal 56 (USCA no. 08-4244) consisting of three volumes of transcripts. (smm) (Entered: 02/04/2009)
02/04/2009	71	ACKNOWLEDGMENT of receipt of supplemental record by USCA no. 08-4244. (smm) (Entered: 02/06/2009)
06/24/2009	73	LETTER from the Seventh Circuit returning the record on appeal in USCA no. 08-4241, 08-4244, 08-4243 consisting of 3 volumes of pleadings. (smm) (Entered: 06/26/2009)
06/25/2009	72	OPINION from the USCA for the 7th Circuit; Argued 5/26/09; Decided 6/2/09 in USCA case no. 08-4241, 08-4243 & 08-4244. (smm) (Entered: 06/25/2009)
12/30/2009	74	RECORD for certiorari transmittal form from the Seventh Circuit. (vcf,) (Entered: 01/04/2010)
01/04/2010	75	TRANSMITTED to the US Supreme Court the long record on appeal 51 , 56

		(US Supreme Ct no. 08-1521) (via e-mail) (dj,) (Entered: 01/04/2010)
09/16/2010	76	MANDATE of USCA dated 9/16/10 regarding notice of appeal 56 ; USCA No. 08-4241, 08-4243, 08-4244. (smm) (Entered: 09/17/2010)
09/16/2010	77	CERTIFIED Copy of USCA JUDGMENT dated 8/25/10 regarding notice of appeal 56 ; USCA No. 08-4241, 08-4243 & 08-4244. (smm) (Entered: 09/17/2010)
09/16/2010	78	CERTIFIED copy of order dated 8/25/10 from the Seventh Circuit regarding notice of appeal 56 ; Appellate case no. : 08-4241, 08-4243 & 08-4244. (smm) (Entered: 09/17/2010)
09/16/2010	79	CERTIFIED Copy of BILL of COSTS by Seventh Circuit, appeal no. 08-4241, 08-4243, 08-4244. (smm) (Entered: 09/17/2010)
09/16/2010	80	CERTIFIED Copy of BILL of COSTS by Seventh Circuit, appeal no. 08-4241, 08-4243, 08-4244. (smm) (Entered: 09/17/2010)
09/16/2010	81	CERTIFIED Copy of BILL of COSTS by Seventh Circuit, appeal no. 08-4241, 08-4243, 08-4244. (smm) (Entered: 09/17/2010)
10/12/2010	82	MINUTE entry before Honorable Milton I. Shadur:This action is hereby dismissed as moot. Mailed notice (srn,) (Entered: 10/12/2010)
12/27/2010	83	MOTION by Plaintiffs Illinois State Rifle Association, Colleen Lawson, David Lawson, Otis McDonald, Adam Orlov, Second Amendment Foundation, Inc. for attorney fees (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3) (Sigale, David) (Entered: 12/27/2010)
12/27/2010	84	NOTICE of Motion by David G. Sigale for presentment of motion for attorney fees 83 before Honorable Milton I. Shadur on 12/29/2010 at 09:15 AM. (Sigale, David) (Entered: 12/27/2010)
12/29/2010	85	MINUTE entry before Honorable Milton I. Shadur:Motion for attorney fees 83 is entered and continued. Motion hearing held on 12/29/2010.Mailed notice (srn,) (Entered: 12/29/2010)
01/03/2011	86	MINUTE entry before Honorable Milton I. Shadur: Enter Memorandum Opinion and Order. In summary, counsel for the McDonald Plaintiffs have not separated themselves or their clients from what this Court ruled in the NRA Opinion. Their motion for "prevailing party" status and Motion for attorney fees 83 is denied.Mailed notice (srn,) (Entered: 01/04/2011)
01/03/2011	87	MEMORANDUM Opinion and Order Signed by the Honorable Milton I. Shadur on 1/3/2011:Mailed notice(srn,) (Entered: 01/04/2011)
01/04/2011	88	NOTICE of appeal by Illinois State Rifle Association, Colleen Lawson, David Lawson, Otis McDonald, Adam Orlov, Second Amendment Foundation, Inc. regarding orders 87 , 86 Filing fee \$ 455, receipt number 0752-5571287. (Gura, Alan) (Entered: 01/04/2011)
01/04/2011	89	NOTICE of Appeal Due letter sent to counsel of record (dj,) (Entered: 01/04/2011)